

HOUSE No. 2455

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to encourage the remediation and redevelopment of properties in economically distressed areas.

PETITION OF:

NAME:

Antonio F. D. Cabral

DISTRICT/ADDRESS:

13th Bristol

HOUSE No. 2455

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 2455) of Antonio F. D. Cabral relative to taxpayer remediation. Revenue.

The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court
(2015-2016)
—————

An Act to encourage the remediation and redevelopment of properties in economically distressed areas.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (j)(1) of Section 6 of Chapter 62 of the General Laws, as
2 appearing in 2012 official edition, is hereby amended by striking the word “lease” in the first
3 sentence and inserting in place thereof the word, “operates”

4 SECTION 2. Said Subsection (j)(1) of Section 6 of Chapter 62 is hereby further amended
5 by inserting the following after the word “limitation” at the end of the third sentence:

6 ,or which includes such an activity and use limitation recorded on or after June 20, 2014.

7 SECTION 3. Subsection (j)(2) of Section 6 of Chapter 62 of the General Laws as
8 appearing in the 2012 official edition, is hereby amended by striking the first sentence and
9 inserting the following:

10 If the taxpayer ceases to maintain the remedy operation status or the permanent solution
11 in violation of the Massachusetts Contingency Plan prior to its sale of the property or the

12 termination of its operation of the property, the difference between the credit taken and the credit
13 allowed for maintaining the remedy shall be added back as additional taxes due in the year the
14 taxpayer fails to maintain the remedy operation status or permanent solution.

15 SECTION 4. Subsection (a) of Section 38Q of Chapter 63 of the General Laws, as
16 appearing in the most recent edition, is hereby amended by striking the word “lease” in the first
17 sentence and inserting in place thereof the word, “operates”

18 SECTION 5. Said Subsection (a) of Section 38Q of Chapter 63 is hereby further
19 amended by inserting the following after the word “limitation” at the end of the second sentence:

20 ,or which includes such an activity and use limitation recorded on or after June 20, 2014.

21 SECTION 6. Subsection (b) of Section 38Q of Chapter 63 of the General Laws, as
22 appearing in the most recent edition, is hereby amended by striking the first sentence and
23 inserting the following:

24 If the corporation ceases to maintain the remedy operation status or the permanent
25 solution in violation of said Massachusetts Contingency Plan prior to its sale of the property or
26 the termination of its operation of the property, the difference between the credit taken and the
27 credit allowed for maintaining the remedy shall be added back as additional taxes due in the year
28 the corporation fails to maintain the remedy operation status or permanent solution.